

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

RANDY UMANZOR,

Plaintiff,

-against-

THE NEW YORK CITY POLICE
DEPARTMENT,

**DEFENDANT'S NOTICE OF
MOTION FOR SUMMARY
JUDGMENT**

14 CV 9850 (VSB) (KNF)

Defendant.

----- X

PLEASE TAKE NOTICE that, upon the Statement of Undisputed Facts Pursuant to Rule 56.1 of the Local Civil Rules of this Court, dated April 1, 2016, the Declaration of David I. Lichtenstein, M.D., NYPD Deputy Chief Surgeon, in Support Of Defendant's Motion for Summary Judgment, executed on March 31, 2016, and the Declaration of Assistant Corporation Counsel Michael F. Fleming, executed on April 1, 2016, and the exhibits annexed thereto, and upon the Memorandum of Law in Support of Defendant's Motion for Summary Judgment, dated April 1, 2016, and upon all prior pleadings and proceedings had herein, defendant New York City Police Department will move this Court, before the Honorable Vernon S. Broderick, United States District Judge, Southern District of New York, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York 10007, on a date and time to be determined by the Court, for an order and judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting Defendant's motion for summary judgment, dismissing the Complaint in its entirety on the grounds that there is no genuine issue of material fact requiring a trial, and that Defendant is entitled to judgment as a matter of law, entering

judgment for Defendant and granting Defendant such other and further relief as the Court deems just, proper, and equitable.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order, dated February 29, 2016, Plaintiff's opposition papers, if any, are due on or before April 29, 2016, and Defendant's reply papers, if any, are due on or before May 13, 2016.

Dated: New York, New York
April 1, 2016

ZACHARY W. CARTER
Corporation Counsel of the
City of New York
Attorney for Defendant
100 Church Street, Room 1-122
New York, New York 10007
(212) 356-2471
mfleming@law.nyc.gov

By: /s/ Michael F. Fleming
Michael F. Fleming
Assistant Corporation Counsel

To: Walker Harmon, Jr., Esq. (via ECF)
The Harman Firm PC
Attorneys for Plaintiff
220 Fifth Avenue, Suite 900
New York, NY 10019
(212) 425-2600